

Source. #8296, eff 3-1-05

PART Occ 305 CERTIFICATION FOR THE USE OF PHYSICAL AGENT MODALITIES

Occ 305.01 Definitions. In Occ 305 the terms used shall have the following meanings:

(a) "Electrical stimulation modality" means a physical agent modality which consists of the application to the body of electrical current for the purpose of analgesia, muscle contraction, the promotion of healing, the reduction of edema and other therapeutic results.

(b) "Hand therapy certification commission" means a non-profit corporation which sponsors a credentialing program for occupational therapists and physical therapists who specialize in upper-extremity rehabilitation.

(c) "High voltage galvanic stimulation (HVGS)" means an electrical modality produced by a twin peak uni-directional waveform in pulsed current and characterized by its high voltage.

(d) "Iontophoresis" means the use of direct electrical current to deliver medication or ionized drugs topically into a localized area of tissue.

(e) "Neuromuscular electrical stimulation (NMES)" means an electrical modality which is used to stimulate the nerves that correspond to a targeted muscle or muscle group, thereby causing a muscle to contract.

(f) "Phonophoresis" means the use of ultrasound to enhance tissue permeability to assist in the delivery of anti-inflammatory medication.

(g) "Physical agent modality (PAM)" means the application of temperature, water, light, sound or electricity for the purpose of producing a response in the body's muscle, tendon, nerve, skin, fascia, scar, vascular or other part of the soft tissue system. The modality applied is chosen by the practitioner as an adjunct to, or in preparation for, the client's ability to engage in occupations.

(h) "Superficial physical agent modality" means the application to the body of thermal agents, including but not limited to, hot packs, paraffin, fluidotherapy, whirlpool, contrast baths and ice packs.

(i) "Transcutaneous electrical nerve stimulation (TENS)" means an electrical modality characterized by the delivery of a pulsed electrical current in the form of a biphasic asymmetrical or symmetrical waveform to the nervous system through the skin via electrodes.

(j) "Ultrasound" means a physical agent modality using an inaudible sound in the frequency range of approximately 20,000 to 10 billion cycles per second. Ultrasound provides either a thermal or non-thermal therapeutic effect depending on the type of tissue sonated, the frequency utilized and the mode of delivery.

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Occ 305.02 PAM Certificates Authorizing the Use of Physical Agent Modalities.

(a) Physical agent modalities shall be used only by licensees holding a PAM certificate authorizing the use of both of the following modalities:

(1) Ultrasound modalities, including phonophoresis; and

(2) Electrical stimulation modalities, including neuromuscular electrical stimulation (NMES), transcutaneous electrical nerve stimulation (TENS), iontophoresis and high voltage galvanic stimulation (HVGS).

(b) No authorizing certificate shall be required for the application of superficial physical agent modalities, including hot packs, whirlpool, contrast baths, cold packs, ice, fluidotherapy and paraffin treatments.

(c) A certificate shall be permanent without the necessity to renew it unless:

(1) Suspended as one of the conditions of a conditional license issued by the board; or

(2) Suspended or revoked when the license of the certificate holder is suspended or revoked.

(d) A certificate shall be issued by the board to an individual meeting the eligibility requirements set forth in Occ 305.03 and completing the application procedure set forth in Occ 305.08.

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Occ 305.03 Eligibility for PAM Certificates. To be eligible for a PAM certificate an individual shall:

(a) Hold, or qualify for, licensure as an occupational therapist or occupational therapy assistant; and

(b) Either be currently licensed pursuant to RSA 328-A as a physical therapist or physical therapist assistant or meet the requirements of both Occ 305.04 and Occ 305.07.

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Occ 305.04 Requirements for Applicants Not Currently Licensed In This State As Physical Therapists or Physical Therapist Assistants. An individual holding or qualifying for licensure as an occupational therapist or occupational therapy assistant and not currently licensed in this state as a physical therapist or physical therapist assistant shall:

(a) Hold a currently valid certificate issued by the hand therapy certification commission; or

(b) Complete the professional education required by Occ 305.05.

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Occ 305.05 Required Professional Education.

(a) The required professional education relating to ultrasound modalities, including phonophoresis, shall:

(1) Be at least 6 hours in duration for occupational therapists and occupational therapy assistants; and

(2) Cover the following topics:

a. Proper use of ultrasound equipment, including:

1. The use of treatment controls;

2. Soundhead selection;

3. Frequency;

4. Application method; and

5. Equipment maintenance as it relates to overall client safety;

- b. Knowledge of the clinical use, optimal parameters, precautions and contraindications to determine, prior to administration, the appropriateness of ultrasound for a client;
 - c. Knowledge of the physiological effect of ultrasound, including the therapeutic benefits as well as the tissue response for both thermal and non-thermal delivery;
 - d. Understanding of the optimal parameters for maximum therapeutic benefit in regards to:
 - 1. Tissue depth;
 - 2. Tissue type;
 - 3. Intensity;
 - 4. Size of the area to be sonated; and
 - 5. The mode of ultrasound delivery, including but not limited to pulse, continuous and medication;
 - e. The appropriate selection and storage of topical drugs:
 - 1. Prescribed by a licensed healthcare practitioner authorized to prescribe medicine; and
 - 2. Used in the ultrasound treatment; and
 - f. The proper positioning of the client for maximum safety and therapeutic effectiveness.
- (b) The required professional education relating to electrical stimulation modalities, including, at a minimum, neuromuscular electrical stimulation (NMES), transcutaneous electrical nerve stimulation (TENS), iontophoresis and high voltage galvanic stimulation (HVGS), shall:
- (1) Be at least 15 hours in duration for occupational therapists and occupational therapy assistants; and
 - (2) Cover, for each of the specific electrical stimulation modalities listed in (b) above, the following topics:
 - a. Electrotherapeutic terminology and biophysical principles, including current, voltage and amplitude;
 - b. The normal electrophysiology of nerve and muscle;
 - c. The types of current, direct, pulsed and alternating, used for electrical stimulation;
 - d. The duration and type of current appropriate for the client's neurological status;
 - e. The following common denominators of electrical currents:
 - 1. Normal and abnormal human responses to direct and alternating current;
 - 2. Current flow effect on tissue, including thermal, chemical and kinetic changes;
 - 3. Waveforms, including:
 - (i) The true direct current of iontophoresis; and

- (ii) Pulsed currents, including monophasic, biphasic and polyphasic;
- 4. The characteristics of phase, including:
 - (i) Duration;
 - (ii) Intensity;
 - (iii) Charge; and
 - (iv) Frequency or rate;
- 5. The modulation of the characteristics listed in e. 4. above; and
- 6. The physiological correlates of the phase characteristics listed in e. 4. above;
- f. The indications, contraindications, warnings and precautions of electrotherapy, including considerations regarding pathology of nerve and muscle tissue;
- g. The rationale and clinical indications of electrotherapy necessary for the safe and appropriate integration in the delivery of occupational therapy;
- h. The appropriate selection and storage of topical drugs:
 - 1. Prescribed by a licensed healthcare practitioner authorized to prescribe medicine; and
 - 2. Used in electrical stimulation treatments;
- i. The proper positioning of, and adequate instructions to, the client during application of the modality;
- j. Appropriate education of the client as to the benefits and risks of the electrotherapeutic treatment;
- k. Knowledge of the safe and appropriate operation of the electrical stimulation device and the optimal parameters, including:
 - 1. The intensity;
 - 2. The frequency or rate;
 - 3. The type of current; and
 - 4. The duration of treatment; and
- l. The optimal electrode placement, including motor points and physiological effects desired.

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Occ 305.06 Methods for Obtaining Required Professional Education. Professional education described in Occ 305.05 shall be obtained through:

- (a) Courses, workshops or trainings delivered by educational institutions, health care institutions or other entities, whether delivered at a professional worksite or not;

(b) On-line courses; or

(c) Individualized instruction by:

(1) An individual authorized by the regulatory body of another state to apply ultrasound and electrical stimulation modalities;

(2) An individual currently licensed in this state as a physical therapist; or

(3) An individual who:

a. Is currently licensed in this state as an occupational therapist or as an occupational therapy assistant; and

b. Meets one of the following descriptions:

1. Gives the individualized instruction before September 30, 2005 and on July 3, 2003 had been trained on the job in the use of physical agent modalities and been using them for 3 consecutive years; or

2. Gives the individualized instruction on any date and holds a PAM certificate.

Occ 305.07 Supervised Clinical Applications Required of All Applicants Not Currently Licensed In This State As Physical Therapists or Physical Therapist Assistants.

(a) An individual holding or qualifying for licensure as an occupational therapist or occupational therapy assistant and not currently licensed as a physical therapist or physical therapist assistant shall:

(1) Perform clinical applications to clients or non-clients of each of the specific modalities within the categories of ultrasound and electrical stimulation;

(2) Perform such clinical applications under supervision as set forth in more detail in (b) and (c) below; and

(3) Perform such applications as many times as required to demonstrate to the full satisfaction of the applicant's supervisor the competencies described in (d) below.

(b) If the supervision of clinical applications is integrated with professional education in the form of a course, workshop or training described in Occ 305.06(a), the individual providing such supervision shall be an individual who:

(1) Is licensed in any state as an occupational therapist or physical therapist; and

(2) Uses physical agent modalities in the course of his or her practice.

(c) If the applicant receives professional education on-line as permitted by Occ 305.06(b) or through individualized instruction as permitted by Occ 305.06(c), or in any other setting in which the supervision of clinical applications is not integrated with the professional education required by Occ 305.05, the individual providing supervision of the applicant's clinical applications shall be:

(1) An individual authorized by the regulatory body of another state to apply ultrasound and electrical stimulation modalities;

(2) An individual currently licensed in this state as a physical therapist; or

(3) An individual who:

- a. Is currently licensed in this state as an occupational therapist; and
- b. Meets one of the following descriptions:
 - 1. Provides the supervision before September 30, 2005 and on July 3, 2003 had been trained on the job in the use of physical agent modalities and been using them for 3 consecutive years; or
 - 2. Provides the supervision on any date and holds a PAM certificate.
- (d) The competencies to be demonstrated to the full satisfaction of the individual supervising the clinical applications shall be:
 - (1) An understanding of the properties and principles of each of the modalities within the categories of ultrasound and electrical stimulation;
 - (2) An understanding of the rationale and indications for applying each of the modalities within the categories of ultrasound and electrical stimulation;
 - (3) The correct use of the equipment for applying each of the modalities within the categories of ultrasound and electrical stimulation;
 - (4) The proper positioning of the patient for applying each of the modalities within the categories of ultrasound and electrical stimulation;
 - (5) An understanding of the expected physiologic response to the administration of each of the modalities within the categories of ultrasound and electrical stimulation;
 - (6) An understanding of the precautions and contraindications for administering each of the modalities within the categories of ultrasound and electrical stimulation;
 - (7) An ability to educate patients and their families about each of the modalities within the categories of ultrasound and electrical stimulation; and
 - (8) The safe and appropriate maintenance and storage of equipment and supplies for the administration of each of the modalities within the categories of ultrasound and electrical stimulation.
- (e) Before undertaking supervised clinical applications the applicant shall:
 - (1) Give a copy of Occ 305 and the application form described in Occ 305.09 to the individual who is to supervise them; and
 - (2) Discuss these materials with the intended supervisor.

Occ 305.08 Procedure for Applying for a PAM Certificate.

- (a) An applicant for a PAM certificate authorizing the use of physical agent modalities shall:
 - (1) Submit to the board the completed application form described in Occ 305.09; and
 - (2) Submit the required accompanying documents described in Occ 305.11.
- (b) If, after reviewing these submissions, the board requires further information or documents to determine the applicant's qualification for a certificate, the board shall:

- (1) So notify the applicant in writing within 60 days; and
 - (2) Specify the information or documents it requires.
- (c) An application shall be considered to be completed on the first date that the board's office has received:
- (1) The submissions described in (a) above; and
 - (2) Any additional information or documents requested pursuant to (b) above.
- (d) The board shall, within 120 days of the date that the application is completed:
- (1) Issue the certificate; or
 - (2) Send the applicant a written notice of denial which includes the reason for the denial.
- (e) An applicant wishing to challenge the board's denial of a certificate shall:
- (1) Make a written request for a hearing of the applicant's challenge; and
 - (2) Submit this request to the board:
 - a. Within 60 days of the board's notification of denial; or
 - b. If the applicant is on active military duty outside the United States, within 60 days of the applicant's return to the United States or release from duty, whichever occurs later.

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Occ 305.09 PAM Certificate Application Form.

- (a) The application form shall be:
- (1) Provided by the board; and
 - (2) Consist in parts A and B.
- (b) On part A of the form, the applicant shall provide in the spaces designated:
- (1) His or her full name and mailing address;
 - (2) The number of the applicant's occupational therapist or occupational therapy assistant license or the word "pending";
 - (3) If applicable, the number of the applicant's currently valid certificate issued by the hand therapy certification commission;
 - (4) If applicable, the number of the applicant's currently valid New Hampshire license as a physical therapist or physical therapist assistant;
 - (5) For each of the courses, workshops, in-service trainings, on-line courses or sessions of individualized instruction taken to meet the professional education requirements of Occ 305.05:
 - a. Its name or a brief description;
 - b. Its beginning and ending dates; and

c. Its sponsor or provider; and

(6) For each session of supervised clinical applications complying with the requirements of Occ 305.07:

a. Its beginning and ending dates; and

b. The name of the individual supervising the applicant's clinical applications.

(c) The applicant shall have the individual supervising the applicant's clinical applications use the designated spaces on part B of the form to enter the following information:

(1) Name;

(2) Business mailing address;

(3) Business telephone number;

(4) If applicable, current New Hampshire physical therapist license number;

(5) If currently licensed in New Hampshire as an occupational therapist but not as a physical therapist:

a. Whether a holder of a PAM certificate; or

b. Whether on July 3, 2003 he or she had been:

1. Educated or trained on the job in the use of physical agent modalities; and

2. Using physical agent modalities for 3 consecutive years;

(6) If not currently licensed in New Hampshire:

a. The jurisdiction of current licensure;

b. The license type and number; and

c. Whether authorized by the jurisdiction of current licensure to apply ultrasound and electrical stimulation modalities; and

(7) The date or dates he or she supervised the applicant's clinical applications.

(d) The applicant shall also ask the clinical applications supervisor to indicate, using the "yes" and "no" columns provided on part B of the form, whether the applicant has demonstrated to the supervisor's full satisfaction the following competencies:

(1) An understanding of the properties and principles of each of the specific modalities within the categories of ultrasound and electrical stimulation;

(2) An understanding of the rationale and indications for applying each of the specific modalities within the categories of ultrasound and electrical stimulation;

(3) The correct use of the equipment for applying each of the specific modalities within the categories of ultrasound and electrical stimulation;

(4) The proper positioning of the patient for applying each of the specific modalities within the categories of ultrasound and electrical stimulation;

- (5) An understanding of the expected physiologic response to the administration of each of the specific modalities within the categories of ultrasound and electrical stimulation;
- (6) An understanding of the precautions and contraindications for administering each of the specific modalities within the categories of ultrasound and electrical stimulation;
- (7) An ability to educate patients and their families about each of the specific modalities within the categories of ultrasound and electrical stimulation; and
- (8) The safe and appropriate maintenance and storage of equipment and supplies needed for the administration of each of the specific modalities within the categories of ultrasound and electrical stimulation which utilize equipment or supplies.

(e) The applicant shall also ask the clinical applications supervisor to sign and date part B of the application form.

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Occ 305.10 Effect of Supervisor's Signature. The supervisor's signature on part B of the application form shall:

- (1) Constitute the supervisor's declaration of honest belief at the time of signing that the applicant has, based on the clinical applications done by the applicant, the competencies attributed to him or her by the supervisor; and
- (2) Subject the supervisor to the following sanctions if the supervisor has written his or her signature without such honest belief:
 - a. Disciplinary action by the board, if the supervisor is a licensee of the board; or
 - b. A report of apparent misconduct to the authority regulating the conduct of the supervisor, if the supervisor is not a licensee of the board.

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Occ 305.11 Required Accompanying Documents.

(a) If the applicant is a currently certified hand therapist, the applicant shall arrange for an official statement of the applicant's certification to be sent directly to the board by the hand therapy certification commission.

(b) If the applicant is currently licensed in New Hampshire as a physical therapist or physical therapist assistant, the applicant shall submit a copy of his or her license issued by the physical therapy governing board.

(c) Applicants required by Occ 305.04 to complete professional education shall submit the following documents at the time of submission of the completed PAM certificate application form:

- (1) For courses, workshops and trainings:
 - a. An official transcript, certificate or grade report documenting the applicant's completion of the course, workshop or training; and
 - b. If the information does not appear on the official transcript, certificate or grade report, a statement signed by the sponsor or provider giving the following information:

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1. The course outline for the course, workshop or training;
2. The location and duration in hours of the course, workshop or training;
3. The date the course, workshop or training was completed; and
4. The results of any test covering the course, workshop or training topics which was taken by the applicant;

(2) For on-line courses:

- a. A certificate issued by the course provider;
- b. The results of any test taken by the applicant which covered the course; and
- c. The applicant's signed statement describing:
 1. The topics covered by the course;
 2. The hours spent by the applicant in taking the course; and
 3. The beginning and ending dates of the period during which the applicant took the course; and

(3) For individualized instruction, the signed statement of the person giving the instruction detailing:

- a. The course outline for the instruction;
- b. The duration of the instruction calculated in hours;
- c. The beginning and ending dates of the instructional period; and
- d. The results of any test taken by the applicant which covered any of the topics of the instruction.

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